

DETAILED ACTION

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

APPLICANTS' ARGUMENTS

Amended claims 54, 58-67, 94-104 and cancelled claims 1-53, 55-57, 68-93, and 105, filed 3/16/11, are acknowledged. Applicants' arguments and amendments, filed 3/16/11, have been fully considered and are persuasive with the Examiner's Amendment below. All of the previous rejections and objections have been withdrawn.

The drawings, filed 9/5/06, are accepted by the Examiner.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tineka Quinton on April 1, 2011.

In the claims:

In claim 54, line 31, after “genes”; insert “in”.

In claim 61, line 3, after “2”; insert “.”.

REASONS FOR ALLOWANCE:

The following is an examiner’s statement of reasons for allowance:

The invention is directed to a method for predicting a human breast cancer patient as having a good or poor prognosis. The prior art does not disclose the method as it is claimed in the instant invention. Because no outstanding rejections remain, the claimed invention is deemed allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

EXAMINER INFORMATION

Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the PTO Fax Center. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28,

1993) (See 37 CFR §1.6(d)). The Central Fax Center number for official correspondence is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. If you have questions on access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Smith, whose telephone number is (571) 272-0721. The examiner can normally be reached Monday through Thursday from 8 A.M. to 6:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marjorie Moran, can be reached on (571) 272-0720.

April 4, 2011

/Carolyn Smith/
Primary Examiner
AU 1631

